

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

1. JACKSON SHRUM, an individual,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	11-CV-794-TCK-FHM
	)	
1. AMERICAN NATIONAL PROPERTY	)	
AND CASUALTY COMPANY,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

American National Property and Casualty Company, Defendant in the above cause, files its Notice of Removal of this proceeding from the District Court of Nowata County, State of Oklahoma, in which it is now pending, to the United States District Court for the Northern District of Oklahoma, and says:

1. This proceeding was commenced in the District Court of Nowata County, State of Oklahoma, on or about October 7, 2011, with a Petition filed by Plaintiff against American National Property and Casualty Company and Audre Davis. At the time of commencement, no diversity of jurisdiction existed. Plaintiff was a resident of the State of Oklahoma, and Audre Davis was a resident of the State of Oklahoma. (See Petition, attached as Exhibit 1.)
2. On December 5, 2011, Plaintiff filed an Amended Petition, dropping his claim against Audre Davis. (See Amended Petition, attached as Exhibit 2.)

3. On December 16, 2011, Plaintiff filed a Dismissal Without Prejudice as to his claim against Audre Davis. (See Dismissal Without Prejudice, attached as Exhibit 3.)
4. This action is one of a civil nature.
5. The matter in dispute exceeds the sum of \$75,000.00, exclusive of interest and costs, as the Amended Petition seeks “an amount in excess of \$75,000.00 plus court costs, pre-judgment interest and any further relief...” (See Exhibit 2.)
6. Attached as Exhibit 4 is a copy of all process, pleadings and other orders relating to the proceeding and/or served upon the Defendant in State Court, other than Exhibits 1, 2, and 3.
7. At the time Plaintiff filed the Amended Petition on December 5, 2011, dropping his claim against Audre Davis, and filed a Dismissal Without Prejudice on December 16, 2011, as to Audre Davis, the Plaintiff, Jackson Shrum, was and is now a resident of the State of Oklahoma; Defendant was and is now a corporation organized and existing under and by virtue of the laws of the State of Texas, and having its home office and principal place of business located in the city of Springfield, Missouri.
8. Removal jurisdiction exists pursuant to 28 U.S.C. §1441(a) on the grounds that it is a civil action over which the Court has original jurisdiction under 28 U.S.C. §1332, as this matter involves a claim for damages in excess of \$75,000.00, exclusive of interest and costs, and is between citizens of different

states.

Defendant, therefore, prays for the removal of the above entitled cause from the State Court to this Court.

Dated this 22th day of December, 2011.

**CATHCART & DOOLEY**

S/ Virginia Cathcart Holleman  
Virginia Cathcart Holleman, OBA #15422  
W. R. Cathcart, OBA #1566  
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Oklahoma City, Oklahoma 73106  
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**CERTIFICATE OF MAILING**

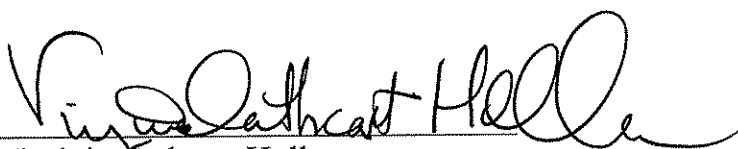
I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Notice of Removal has been mailed this 22th day of December, 2011, to the attorney of record for Plaintiff:

Patrick F. Collogan, OBA #30529  
Martin, Jean & Jackson  
P.O. Drawer 15778  
Ponca City, OK 74602  
(580) 765-9967 - phone  
(580) 763-0750 - fax  
[pcollogan@mjlawfirm.com](mailto:pcollogan@mjlawfirm.com)  
Attorney for Plaintiff

S/ Virginia Cathcart Holleman  
Virginia Cathcart Holleman

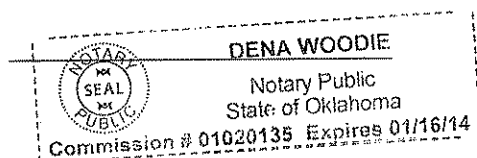
State of Oklahoma                 )  
  ) ss.  
County of Oklahoma             )


Virginia Cathcart Holleman, of lawful age, being first duly sworn upon oath states:  
  
That she is the attorney for, American National Property and Casualty, a corporation organized under the laws of the State of Texas, with its principal office and place of business in Springfield, Missouri, that none of the officers of said corporation are within the State of Oklahoma; that he has the power and authority for and on behalf of said Defendant to make and file this Notice of Removal and to make this affidavit for an on its behalf, and does so make the same. That she has read the foregoing Notice and knows the contents thereof and has knowledge of the facts therein stated, and that the statements and facts therein contained are true.

  
Virginia Cathcart Holleman.

Subscribed and sworn to before me this 22th day of December, 2011

My Commission Expires:



  
Notary Public